

I suppose in everything there must be a favorite play toy, and I believe consumer protection has become the play toy of the Convention.

Listen to this. Now, we have already in our constitution recognized that our society has changed from an agrarian age to an industrial age to the present technological age, because we have recognized that these forces in society have caused havoc in many areas.

We have recognized it first by constitutionally giving relief to the farmer, because of his economic disadvantage. Secondly, we have constitutionally recognized it with a vote of 127 in favor and 21 against, that our changing society will continue to have harmful effects on national resources, trees, rocks, rivers and streams. We have also recognized that the same society is causing a disadvantage to the working man. We have constitutionally recognized that he needs something.

Now, all I am urging is consistency. Now, if we are going the way of Delegate Scanlan, let us go that way. If we are going to recognize economic advantage in some, let us recognize it in all.

I urge you to be consistent, and recognize the needs of the last group of people—the consumer.

THE PRESIDENT: Delegate Marvin Smith.

DELEGATE M. SMITH: Mr. President, this grants no power that the General Assembly would not otherwise have. Now, I have before me the definition of police power from BLACK'S LAW DICTIONARY. Police power is defined as an authority conferred by the American constitutional system upon the individual states through which they are enabled to adopt such regulations as tend to prevent the commission of fraud, violence or other offences against the state; and to arrest criminals and to secure generally the comfort, health and prosperity of the state by preserving the public order, preventing a conflict of rights in the common intercourse of the citizens, and insuring to each an uninterrupted enjoyment of all the privileges conferred upon him by the laws of his country.

This provision is going to be, as Delegate Adkins said here on something else the other day, the holding out to the people the promise of a giant quart size, that the General Assembly cannot put into effect, really. The General Assembly can do every-

thing that it needs to do without this provision.

Delegate Freedlander, in her memorandum has well pointed out the fact that the General Assembly has already acted in this field. Really it accomplishes nothing other than to hold out hope that cannot be fully fulfilled.

THE PRESIDENT: Delegate Bennett.

DELEGATE BENNETT: Mr. President, Vice President Nixon, a gentleman whom I do not often quote, has said that there are two wars that the American people face, one in Vietnam, and one here.

Every survey that has been made shows the validity of this statement. Opinion Research Corporation, may I say Delegate Taylor, has recently studied this matter, and they have shown that the riots were generated less by denial of political rights than they were motivated by animosity toward the way the Negroes are exploited by merchants, by credit agencies, by stores that raise prices at times when welfare checks come out. Those are facts, and an expression, it seems to me, of a disapproval of this sort of practice and a demand that the General Assembly take some action that would be as much as this Convention or any other body could do to solve this problem of the war between the two groups in our society.

We must respect this motion. Otherwise it will be considered that we are calloused toward the needs and the rights of the disinherited and the underprivileged.

I urge you to reject the motion.

THE PRESIDENT: The Chair recognizes Delegate Gleason as the final speaker in favor of the amendment. You have slightly less than one minute.

DELEGATE GLEASON: Mr. President, I think that those of us who will support the motion to reconsider are entitled to ask a little fairness. We admit—and I think everyone on the floor admits—that there are certain business practices which are unfair, harmful and deleterious to the public welfare. We will also have to agree that there are certain labor practices, government practices, professional practices, which are also harmful and deleterious to the public welfare. Why have you not included those practices in this amendment?

The reason they have not is that we vest the legislature with plenary powers to deal with them. If they do not deal with them